

**DETAILED ACTION**

**EXAMINER'S AMENDMENT**

1. An Examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to Applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this Examiner's amendment was given in a telephone interview with Ricardo Ochoa (Reg. No. 61545) on September 26, 2011.

The application has been amended as follows:

**IN THE CLAIMS**

21. (**Currently Amended**) An apparatus, comprising:

a controller configured to send a first message having a type of a re-registration request; receive an error message from a network element in a communications network in response to the first message, the error message indicating that the network element has determined that a serving network element for the apparatus is out of service, and in response to the error message, to send a further message having an initial registration type to the network element.

39. (**Currently Amended**) A method comprising:

sending from a user equipment a first message having a type of a re-registration request;

receiving at the user equipment an error message from a network element in a communications network in response to the first message, the error message indication that the network element has determined that a serving network element for the user equipment is out of service; and

in response to the error message, sending from the user equipment a further message having an initial registration type to the network element.

47. (**Currently Amended**) A non-transitory computer readable medium configured to store instructions of a computer program that when executed controls a controller to perform:

sending from a user equipment a first message having a type of a re-registration request;

receiving at the user equipment an error message from a network element in a communications network in response to the first message, the error message indication that the network element has determined that a serving network element for the user equipment is out of service; and

in response to the error message, sending from the user equipment a further message having an initial registration type.

***Allowable Subject Matter***

2. Claims 1, 3-11, 13, 16-19, 21-23, 34, 39, 44, 46, and 47 are allowed.

3. The following is an examiner's statement of reasons for allowance:

Independent claims 1, 19, and 44, and their dependents thereof, are allowed because none of the closes prior art, either alone or in combination, fails to anticipate or render obvious a

method, an apparatus, and a non-transitory computer readable medium wherein the first network element receives a re-registration message type from a user equipment, and the first network element detects that a serving network element is out of service for a user equipment; the first network element sends an error message indication that the serving network element is out of service to the user equipment. Subsequent received the error message from the first network element, the user equipment sends a second message having an initial registration type to the first network element.

Independent claims 21, 39, and 47, and their dependents thereof, are allowed because none of the closes prior art, either alone or in combination, fails to anticipate or render obvious a method, an apparatus, and a non-transitory computer readable medium wherein a user equipment receives an error message from a network element in a communications network in response to the re-registration request message sent by the user equipment, the error message indication that the network element has determined that a serving network element for the user equipment is out of service; and in response to the error message, the user equipment sends a further message having an initial registration type to the network element.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TIMOTHY PHAM whose telephone number is (571)270-7115. The examiner can normally be reached on Monday-Friday; 8:00AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dwayne D. Bost can be reached on 571-272-7023. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dwayne Bost/  
Supervisory Patent Examiner,  
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/ Timothy Pham/  
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